

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action objects to the abstract, stating that it appears that a word has been omitted. Applicant is entirely willing to amend the abstract as necessary, but is unable to identify the language specified in the Official Action. Applicant notes that the abstract was amended in the Preliminary Amendment filed with the present application.

The Official Action rejects claims 1, 5, and 6 under 35 USC §112, second paragraph, as being indefinite. Applicant has amended each of the claims as necessary in order to eliminate the bases for this rejection. Reconsideration and withdrawal of this rejection are therefore respectfully requested.

The Official Action rejects claims 1-10 under 35 USC §102(e) as being anticipated by DRUCKENMILLER et al. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

The DRUCKENMILLER et al. patent describes what it refers to as a "Double Opt-In" process, in which an individual can register on lists by e-mail in order to be able to obtain advertising or other information on certain subject areas of interest to the individual by e-mail. The information desired by the various individuals is therefore selectively made available to them via e-mail. This is designed to prevent bombardment of

private parties with unwanted information by e-mail, generally referred to as "spam".

According to the process described by DRUCKENMILLER et al., an individual can notify an information distributor by e-mail of areas of interest, in connection with which the individual would like to receive offers, advertising, or other information by e-mail. To prevent abuse, DRUCKENMILLER et al. proposes sending a verification e-mail to the notifying individual with the request to confirm registration on the identified lists. The verification e-mail contains a unique character sequence.

If the requesting individual answers the certification e-mail with a responsive e-mail including the unique character sequence, that individual is registered on the desired lists and becomes a subscriber. From that time on, the subscriber receives the desired information by e-mail. If the verification e-mail is not confirmed, registration on the lists does not take place. The requesting individual is granted a period of roughly 15 days to answer the certification e-mail.

The process described by DRUCKENMILLER et al. therefore uses a unique character sequence to ensure that a private individual receives only those e-mails that have been requested. Therefore, as to the information in the various types of e-mail under consideration in the DRUCKENMILLER et al. approach, there exist two general options: the information is available to nobody (in the absence of any validated opt-in), or the information is

available to only those individuals who have opted in. Under no condition does the DRUCKENMILLER et al. scheme make the information in the e-mails available to the general internet public.

In contrast, the present invention is directed at making information originating from an information provider accessible to anyone, for example by way of an Internet page. The present process ensures that the information that is made generally available is always up-to-date. An information provider who would like to maintain the public accessibility of the information via a service provider must therefore notify the service provider within a certain time interval that he is still interested in the having the information accessible to the broad public. The information provider does this by communicating an identification code to the service provider.

Therefore an important difference between the process described by DRUCKENMILLER et al. and the process in claim 1, particularly as now amended, consists in the public accessibility of the information. In the case of the process described by DRUCKENMILLER et al., the information of a private party transmitted to an information distributor is used only for distribution of information by e-mail to the private party himself and is intended for internal use of the information distributor. In the present process, the information transmitted to the service provider is intended to be kept retrievable for the broad public

for a certain time. The publication of information originating from private parties is neither part of the process described by DRUCKENMILLER et al. nor is it intended. The DRUCKENMILLER method controls who has access to information. The present method determines whether access is available to everyone or no one.

Thus it becomes clear that the process of our amended claim 1 is novel compared to the process described by DRUCKENMILLER et al.

In light of the amendments described above and the arguments offered in support thereof, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

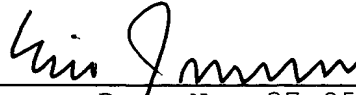
If the Examiner has any questions or requires further clarification of any of the above points, the Examiner may contact the undersigned attorney so that this application may continue to be expeditiously advanced.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional  
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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